

File 16005-3US-1 CMB

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- REMARKS / ARGUMENTS -

Claims 1, 3-15, and 19-23 are presently pending in this application. Claims 2 and 16-18 are cancelled without prejudice. Claims 21-23 are new and are supported by the disclosure. Claims 1 and 3 are amended to more clearly define the invention.

No new matter is added by the present amendments.

The Office Action objects to the Specification and rejects Claim 3 under 35 U.S.C. section 112 for related reasons. Claim 3 is amended and the amendment should overcome both issues.

Claim 18 is objected to by the Office Action. The objection is now moot in view of the cancellation of claim 18.

Claim 1 is rejected under 35 U.S.C. section 103(a) for being unpatentable over Nishimori et al (US 5,107,327). The Applicant amends claim 1 to specify that *"a frame [is provided] on said substrate, surrounding, at least in part, the optoelectronic chip; then [...] a translucent coating substance [is provided] over the optoelectronic chip and at least a portion of said frame, further wherein the coating substance has a lower hardness than said frame; and then the translucent coating substance [is polished]"*. Clearly, such limitations are not found in the cited prior art. The Applicant therefore submits that amended Claim 1 and all claims depending from it is novel and non-obvious in view of the cited prior art.


File 16005-3US-1 CMB

The Application should now be in condition for allowance and a notice to this effect is earnestly solicited.

Respectfully submitted,

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